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NO. 808 P. 11

JUN 22 2007 Attorney Docket No.: 1033-LB1049

REMARKS

Claims 1-3, 9-13, 19, and 20 are Allowable

The Office has rejected claims 1-3, 9-13, 19, and 20, at paragraphs 1 and 2 of the Final Action, under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 5,999,596 ("Walker"). Applicants respectfully traverse the rejections.

None of the cited references, including Walker, disclose or suggest the specific combination of claim 1. For example, Walker does not disclose providing a notification message to a payment card holder of an attempted transaction using a payment card, where the notification message includes a plurality of options for the payment card holder to decline authorization of the attempted transaction, as recited in claim 1. In contrast to claim 1, Walker discloses playing a message to an account holder, where the message includes an option to authorize a transaction, an option to decline the transaction, and an option to talk to a person requesting authorization of the transaction. (See Walker, col. 10, ll. 1-18). Walker does not disclose a notification message that includes a plurality of options for the payment card holder to decline authorization of an attempted transaction, as recited in claim 1. Rather, Walker discloses a message that includes only one option to decline authorization of a transaction. Hence, claim 1 is allowable.

Claims 2-3 and 9-10 depend from claim 1, which Applicants have shown to be allowable. Hence, Walker fails to disclose at least one element of each of claims 2-3 and 9-10. Accordingly, claims 2-3 and 9-10 are also allowable, at least by virtue of their dependency from claim 1.

Further, the dependent claims include additional features that are not disclosed or suggested by Walker. For example, claim 3 recites providing a message to a merchant involved in the attempted transaction to decline the attempted transaction and to return the payment card to an individual attempting the transaction. In contrast to claim 3, Walker discloses transmitting a signal indicative of a decline option selection to a server involved in the transaction. (See Walker, col. 10, ll. 58-60). Walker does not disclose providing a message to the merchant to

return the payment card to the individual attempting the transaction, as recited in claim 3. For this additional reason, claim 3 is allowable.

Additionally, none of the cited references, including Walker, disclose or suggest the specific combination of claim 11. For example, Walker does not disclose declining authorization of the attempted transaction in response to receiving information indicating an input selecting a first option to decline the transaction or a second option to decline the transaction by the payment card holder, as recited in claim 11. In contrast to claim 11, Walker discloses playing a message to an account holder, where the message includes an option to authorize a transaction, an option to decline the transaction, and an option to talk to a person requesting authorization of the transaction. (See Walker, col. 10, ll. 1-18). Walker also discloses that an account holder may authorize or decline a transaction after talking to the person requesting authorization of the transaction. (See Walker, col. 10, ll. 55-60). Walker does not disclose receiving information indicating an input to select a first option or a second option to decline the transaction, as recited in claim 11. Rather, Walker discloses declining the transaction by entering one input and declining the transaction after entering a plurality of inputs. Hence, claim 11 is allowable.

Claims 12-13 and 19-20 depend from claim 11, which Applicants have shown to be allowable. Hence, Walker fails to disclose at least one element of each of claims 12-13 and 19-20. Accordingly, claims 12-13 and 19-20 are also allowable, at least by virtue of their dependency from claim 11.

Further, the dependent claims include features that are not disclosed or suggested by Walker. For example, claim 13 recites providing a message to a merchant involved in the attempted transaction to decline the attempted transaction and to return the payment card to an individual attempting the transaction. As explained previously, Walker does not disclose providing a message to the merchant to return the payment card to the individual attempting the transaction, as recited in claim 13. For this additional reason, claim 13 is allowable.

Claims 4 and 14 are Allowable

The Office has rejected claims 4 and 14, at paragraphs 3-5 of the Final Action, under 35 U.S.C. §103(a), as being unpatentable over Walker in view of U.S. Patent No. 4,114,027 ("Slater"). Applicants respectfully traverse the rejections.

Claims 4 and 14 depend from claims 1 and 11, respectively, which Applicants have shown to be allowable. Slater does not disclose or suggest the elements recited in claims 1 and 11 that are not disclosed or suggested by Walker. For example, Slater does not disclose or suggest providing a notification message to a payment card holder of an attempted transaction using a payment card, where the notification message includes a plurality of options for the payment card holder to decline authorization of the attempted transaction, as recited in claim 1. Further, Slater does not disclose or suggest declining authorization of the attempted transaction in response to receiving information indicating an input selecting a first option to decline the transaction or a second option to decline the transaction by the payment card holder, as recited in claim 11. Thus, claims 4 and 14 are allowable, at least by virtue of their dependency from claim 1 or 11.

Claims 5, 15, and 22 are Allowable

The Office has rejected claims 5, 15, and 22, at paragraph 6 of the Final Action, under 35 U.S.C. §103(a), as being unpatentable over Walker in view of U.S. Patent No. 5,819,226 ("Gopinathan"). Applicants respectfully traverse the rejections.

Claims 5 and 15 depend from claims 1 and 11, respectively, which Applicants have shown to be allowable. Gopinathan does not disclose or suggest the elements recited in claims 1 and 11 that are not disclosed or suggested by Walker. For example, Gopinathan does not disclose or suggest providing a notification message to a payment card holder of an attempted transaction using a payment card, where the notification message includes a plurality of options for the payment card holder to decline authorization of the attempted transaction, as recited in claim 1. Further, Gopinathan does not disclose or suggest declining authorization of the attempted transaction in response to receiving information indicating an input selecting a first option to decline the transaction or a second option to decline the transaction by the payment

card holder, as recited in claim 11. Thus, claims 5 and 15 are allowable, at least by virtue of their dependency from claim 1 or 11.

Further, claims 5 and 15 include features that are not disclosed or suggested by Walker and Gopinathan. For example, the Final Action acknowledges that Walker does not disclose or suggest locking an account associated with a payment card, as recited in claims 5 and 15. (See Final Action, page 4, paragraph 5). Gopinathan also does not disclose or suggest locking an account associated with a payment card, as recited in claims 5 and 15. In contrast to claims 5 and 15, Gopinathan discloses a cutoff score above which an account is flagged and the number of accounts with scores above the cutoff. (See Gopinathan, col. 4, ll. 3-7). For these additional reasons, claims 5 and 15 are allowable.

None of the asserted references, including Walker and Gopinathan, disclose or suggest the specific combination of claim 22. For example, Walker does not disclose receiving a selection of a first option to decline authorization of a transaction or a second option to decline authorization of a transaction where if the first option is selected, a message is sent to the merchant to return the payment card to the individual attempting the transaction and if the second option is selected, a message is sent to the merchant to withhold the payment card from the individual attempting the transaction, as recited in claim 22. In contrast to claim 22, Walker discloses playing a message to an account holder, where the message includes an option to authorize a transaction, an option to decline the transaction, and an option to talk to a person requesting authorization of the transaction. (See Walker, col. 10, ll. 1-18). Walker also discloses that an account holder may authorize or decline a transaction after talking to the person requesting authorization of the transaction and transmitting a signal indicative of the response to a server involved in processing the transaction. (See Walker, col. 10, ll. 55-60). Walker does not disclose or suggest sending a message to a merchant to return a payment card to an individual attempting a transaction if a first option to decline the transaction is selected and sending a message to a merchant to withhold the payment card from the individual attempting the transaction if a second option to decline the transaction is selected, as recited in claim 22. Rather, Walker discloses sending the same signal to a server indicative of a decline transaction selection regardless of the options selected before the decline signal is sent. Gopinathan also

does not disclose or suggest sending a message to a merchant to return a payment card to an individual attempting a transaction if a first option to decline the transaction is selected and sending a message to a merchant to withhold the payment card from the individual attempting the transaction if a second option to decline the transaction is selected, as recited in claim 22. Hence, claim 22 is allowable.

Claims 6, 7, 16, and 17 are Allowable

The Office has rejected claims 6, 7, 16, and 17, at paragraph 7 of the Final Action, under 35 U.S.C. §103(a), as being unpatentable over Walker in view of U.S. Patent No. 6,052,675 ("Cheechio"). Applicants respectfully traverse the rejections.

Claims 6, 7, 16, and 17 depend from claims 1 and 11, which Applicants have shown to be allowable. Cheechio does not disclose or suggest the elements recited in claims 1 and 11 that are not disclosed or suggested by Walker. For example, Cheechio does not disclose or suggest providing a notification message to a payment card holder of an attempted transaction using a payment card, where the notification message includes a plurality of options for the payment card holder to decline authorization of the attempted transaction, as recited in claim 1. Further, Cheechio does not disclose or suggest declining authorization of the attempted transaction in response to receiving information indicating an input selecting a first option to decline the transaction or a second option to decline the transaction by the payment card holder, as recited in claim 11. Thus, claims 6, 7, 16, and 17 are allowable, at least by virtue of their dependency from claim 1 or 11.

Further, claims 6, 7, 16, and 17 include additional features that are not disclosed or suggested by Walker and Cheechio. For example, the Final Action acknowledges that Walker does not disclose or suggest automatically reporting a fraudulent transaction to a law enforcement authority, as recited in claims 6 and 16. (See Final Action, page 5, paragraph 7). Cheechio also does not disclose or suggest automatically reporting a fraudulent transaction to a law enforcement authority, as recited in claims 6 and 16. In contrast to claims 6 and 16, Cheechio discloses that a vendor must call the police to inform them that a credit card has been

stolen. (See Cheechio, col. 1, ll. 26-30). For these additional reasons, claims 6 and 16 are allowable.

Additionally, the Final Action acknowledges that Walker does not disclose or suggest automatically reporting a fraudulent transaction to a credit reporting agency, as recited in claims 7 and 17. (See Final Action, page 5, paragraph 7). Cheechio also does not disclose or suggest automatically reporting a fraudulent transaction to a credit reporting agency, as recited in claims 7 and 17. In contrast to claims 7 and 17, Cheechio discloses that a vendor must call a credit card company to inform them that a credit card has been stolen. (See Cheechio, col. 1, ll. 26-20). For these additional reasons, claims 7 and 17 are allowable.

Claims 8 and 18 are Allowable

The Office has rejected claims 8 and 18, at paragraph 8 of the Final Action, under 35 U.S.C. §103(a), as being unpatentable over Walker in view of U.S. Patent Application Publication No. 2003/0182214 ("Taylor"). Applicants respectfully traverse the rejections.

Claims 8 and 18 depend from claims 1 and 11, respectively, which Applicants have shown to be allowable. Taylor does not disclose or suggest the elements recited in claims 1 and 11 that are not disclosed or suggested by Walker. For example, Taylor does not disclose or suggest providing a notification message to a payment card holder of an attempted transaction using a payment card, where the notification message includes a plurality of options for the payment card holder to decline authorization of the attempted transaction, as recited in claim 1. Further, Taylor does not disclose or suggest declining authorization of the attempted transaction in response to receiving information indicating an input selecting a first option to decline the transaction or a second option to decline the transaction by the payment card holder, as recited in claim 11. Thus, claims 8 and 18 are allowable, at least by virtue of their dependency from claim 1 or 11.

Further, claims 8 and 18 include additional features that are not disclosed or suggested by Walker and Taylor. For example, the Final Action acknowledges that Walker does not disclose or suggest sending a reason code to a merchant involved in an attempted transaction to indicate

why the attempted transaction has been declined, as recited in claims 8 and 18. (See Final Action, page 6, paragraph 8). Taylor also does not disclose or suggest sending a reason code to a merchant involved in an attempted transaction to indicate why the attempted transaction has been declined, as recited in claims 8 and 18. In contrast to claims 8 and 18, Taylor discloses sending a response code to a bank teller that indicates appropriate action for the teller to take in response to a possible fraudulent transaction. (See Taylor, paragraphs [0044] – [0046]). For these additional reasons, claims 8 and 18 are allowable.

Claim 21 is Allowable

The Office has rejected claim 21, at paragraph 9 of the Final Action, under 35 U.S.C. §103(a), as being unpatentable over Walker in view of U.S. Patent Application Publication No. 2003/0014367 (“Tubinis”). Applicants respectfully traverse the rejections.

Claim 21 depends from claim 11, which Applicants have shown to be allowable. Tubinis does not disclose or suggest the elements recited in claim 11 that are not disclosed or suggested by Walker. For example, Tubinis does not disclose or suggest declining authorization of the attempted transaction in response to receiving information indicating an input selecting a first option to decline the transaction or a second option to decline the transaction by the payment card holder, as recited in claim 11. Thus, claim 21 is allowable, at least by virtue of its dependency from claim 11.

Further, claim 21 include features that are not disclosed or suggested by Walker and Tubinis. For example, the Final Action acknowledges that Walker does not disclose or suggest increasing a purchase limit threshold for a payment card based on a short message service (SMS) message received from the payment card holder, as recited in claim 21. (See Final Action, page 6, paragraph 9). Tubinis also does not disclose or suggest increasing a purchase limit threshold for a payment card based on a short message service (SMS) message received from the payment card holder, as recited in claim 21. In contrast to claim 21, Tubinis discloses notifying a subscriber that a threshold has been reached by sending an SMS message to the subscriber. (See Tubinis, paragraph [260]). For this additional reason, claim 21 is allowable.

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CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references applied in the Final Action. Accordingly, Applicants respectfully requests reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

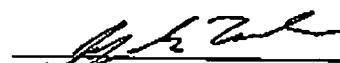
Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

6-22-2007
Date


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